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PILLSBURY WINTHROP SHAW PITTMAN LLP
725 S. FIGUEROA STREET, SUITE 2800
LOS ANGELES, CA 90017

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OFFICE OF PETITIONS

In re Application of :
David M. Putzolu et al :
Application No. 09/470,163 : DECISION GRANTING PETITION
Filed: December 22, 1999 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 81674-264193 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 3, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed September 10, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 11, 2003. A Notice of Abandonment was mailed on March 29, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment ; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of September 10, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 2141 for appropriate action on the concurrently filed reply.


Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy